

1 _____ BILL NO. _____

2 INTRODUCED BY _____
3 (Primary Sponsor)

4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING EXCEPTIONS TO THE MONTANA RELIGIOUS
5 FREEDOM RESTORATION ACT TO PROHIBIT THE USE OF RELIGIOUS BELIEFS AS A BASIS TO HARM
6 OTHERS; AND AMENDING SECTION 27-33-105, MCA."

7
8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9
10 **Section 1.** Section 27-33-105, MCA, is amended to read:

11 **"27-33-105. Free exercise of religion protected.** (1) State action may not substantially burden a
12 person's right to the exercise of religion, even if the burden results from a rule of general applicability, unless it
13 is demonstrated that applying the burden to that person's exercise of religion:

14 (a) is essential to further a compelling governmental interest; and

15 (b) is the least restrictive means of furthering that compelling governmental interest.

16 (2) A person whose exercise of religion has been substantially burdened or is likely to be
17 substantially burdened in violation of this part may assert the violation or impending violation as a claim or
18 defense in a judicial or administrative proceeding, regardless of whether the state of Montana or one of its
19 political subdivisions is a party to the proceeding. The person asserting such a claim or defense may obtain
20 appropriate relief, including relief against the state of Montana or its political subdivisions. Appropriate relief
21 includes but is not limited to injunctive relief, declaratory relief, compensatory damages, and costs and attorney
22 fees.

23 (3) _____ The provisions of subsection (1):

24 (a) _____ do not apply to any provision of law, including its implementation, that provides for or requires:

25 (i) _____ a protection against discrimination or the promotion of equal opportunity;

26 (ii) _____ an employer to provide a wage, other compensation, or a benefit; or

27 (iii) _____ a protection against child labor, child abuse, or child exploitation; and

28 (b) _____ may not be applied to deny a person the full and equal enjoyment of a good, service, benefit,

1 facility, privilege, advantage, or accommodation provided by the government."

2 - END -